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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

LIANG, GWEN

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 01/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,815

Applicant(s)

YOSHIDA ET AL.

Examiner

GWEN LIANG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment B, filed on 11/12/2003.

Claims 1-37 are pending.

Claim Objections

2. Claims 29 and 30 are objected to because of the following informalities: Claims 29 and 30 are duplicate claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-35 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The claimed subject matter "future times during a day" in claims 1, 13, 14 and "a future time of day, a day of a month" in claims 26, 33 and 34 were not described in the specification in the same way as in the claim. For example in the specification page 1 lines 21-25, "a weather-based decision making method utilizes an input device and at least one server to ... provide the user a suggested time and/or location for the specific

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activity.”; Also in the specification, page 2 line 5, “The system then provides the user a time and/or location.

The claimed subject matter “clock time” or “clock times” in claims 13, 14, 17, 23, 24, 25, 32, 34, and 35 were not described in the specification in the same way as in the claim. For example in the specification page 1 lines 21-25, “a weather-based decision making method utilizes an input device and at least one server to provide the user a suggested time and/or location for the specific activity.”; Also in the specification, page 2 line 5, “The system then provides the user a time and/or location”.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 35-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As regards to claim 35, the Examiner is unable to determine whether the claim language “for one or more dates” in line 8 describes “the activity”, “the location” or other subjects.

Claim 14 recites the limitation “said step of providing the user with one of the suggested future times during the day and the suggested location via a network” in lines 1-3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-15, 17, 19-26, 28-30, 32-35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al., "Murphy" (U.S. Patent No. 6,298,307), further in view of "Bridal", ("One Less Bridal Woe", PR Newswire, p0714PHTU007).

With respect to claim 1, Murphy discloses a method comprising the steps of:
receiving a user input comprising a user preference profile for a specific activity (col. 2 lines 15-19, wherein a user preferences databases are used to store information on the user preferences related to user activities, therefore it is obvious that a user input must first be made to cause the user preferences to be stored in the database.);

comparing the user preference profile with stored weather information (col. 2 lines 9-13; col. 2 lines 32-41; Fig. 1 element 102 "Weather Information Server").

However Murphy does not explicitly teach the step of "providing the user with one of a plurality of suggested future times during a day, a date, and a suggested location for the specific activity based on the input received from the user".

Bridal teaches a step of "providing the user with one of a plurality of suggested future times during a day, a date, and a suggested location for the specific activity based on the input received from the user" (See for example: page 1 paragraph 5, wherein WeatherPlanner has the capability of providing the most favorable wedding dates if the date has not been decided on, or recommending the best destination of

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honeymoon based on the user's desired type of weather for an activity and location ideas.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a step of "providing the user with one of a plurality of suggested future times during a day, a date, and a suggested location for the specific activity based on the input received from the user" as disclosed by Bridal into the weather-based decision making method as disclosed in Murphy to offer a revolutionary new event and activity planning service that provides reliable, customized weather forecasts up to 12 months in advance (page 1 paragraph 3). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

Claim 2 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method wherein said step of receiving a user preference profile comprises the step of receiving from the input device a user preference profile for at least one activity (col. 4 lines 1-8; col. 2 lines 15-19; col. 2 lines 32-36).

Claim 3 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method wherein said step of receiving a user profile comprises the step of receiving weather parameters including at least one of precipitation, wind, air temperature, humidity, location, road conditions, cross winds, visibility and time (col. 2 lines 32-36).

Claim 4 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method comprising the step of receiving updated

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weather information and storing tile weather related information in a weather database (col. 5 line 60 – col. 6 line 4).

Claim 5 is rejected for the reasons set forth hereinabove for claim 4 and furthermore Murphy teaches a method wherein said step of comparing the user preference profile comprises the step of comparing the user preference profile with information contained in the weather database (col. 2 lines 9-13; col. 2 lines 32-41).

Claim 6 is rejected for the reasons set forth hereinabove for claim 4 and furthermore Murphy teaches a method comprising the step of monitoring the weather database and providing updated information to the user (col. 3 lines 65-67).

Claim 7 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method comprising the step of warning the user when input weather parameters have been exceeded (col. 2 lines 49-52).

Claim 8 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method comprising the step of warning the user when input weather parameters have been met (col. 2 lines 49-52).

Claim 9 is rejected on grounds corresponding to the reasons given above for claim 7.

Claim 10 is rejected on grounds corresponding to the reasons given above for claim 8.

Claim 11 is rejected for the reasons set forth hereinabove for claim 4 and furthermore Murphy teaches a method comprising the step of receiving weather

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information from at least one of NOAA reports, weather towers, traffic, video, and construction and closure reports (col. 4 line 50 – col. 5 line 5).

Claim 12 is rejected for the reasons set forth hereinabove for claim 4 and furthermore Murphy teaches a method comprising the step of receiving weather information from a plurality of surface mounted road sensors (col. 4 lines 9-41).

Claim 13 is rejected on grounds corresponding to the reasons given above for claim 1.

Claim 14 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method wherein said step of providing the user with one of the suggested future times during the day and the suggested location via a network comprises the step of creating an entry in a personal electronic calendar for a clock time and a location at which weather parameters in the user preference profile are forecasted to be at least one of met and exceeded (col. 7 line 63 – col. 8 line 25).

Claim 15 is rejected for the reasons set forth hereinabove for claim 13 and furthermore Murphy teaches a method wherein the network comprises one of a publicly accessible network, an intranet, a wide area network, and a local area network (col. 8 lines 47-51).

Claims 17, 26 are rejected on grounds corresponding to the reasons given above for claim 1.

Claim 19 is rejected on grounds corresponding to the reasons given above for claim 4.

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Claim 20 is rejected on grounds corresponding to the reasons given above for claim 17.

Claim 21 is rejected on grounds corresponding to the reasons given above for claims 3 and 9.

Claim 22 is rejected on grounds corresponding to the reasons given above for claims 3 and 10.

Claim 23 is rejected on grounds corresponding to the reasons given above for claim 1.

Claim 24 is rejected on grounds corresponding to the reasons given above for claim 13.

Claims 25, 33 and 34 are rejected on grounds corresponding to the reasons given above for claim 14.

Claim 28 is rejected on grounds corresponding to the reasons given above for claims 1 and 4.

Claims 29 and 30 are rejected on grounds corresponding to the reasons given above for claim 7.

Claim 32 is rejected for the reasons set forth hereinabove for claim 26 and furthermore Murphy teaches a computer wherein to provide the user with the future time of day and the suggested location, said computer causes to be displayed on a user device information related to a clock time and the suggested location via a network. (col. 4 lines 1-8).

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Claim 35 is rejected on grounds corresponding to the reasons given above for claims 17 and 15.

Claim 37 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Bridal teaches an expert system wherein the remote server is further configured to identify a plurality of locations that correlate to the weather and the activity (page 1 paragraphs 5 and 7).

9. Claims 16 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al., "Murphy" (U.S. Patent No. 6,298,307),), further in view of "Bridal", ("One Less Bridal Woe", PR Newswire, p0714PHTU007), and further in view of Trombley (U.S. Patent No. 6,456,299).

Claim 16 is rejected for the reasons set forth hereinabove for claim 3. However the combination of Murphy and Bridal does not explicitly disclose a method wherein the location parameter includes a latitude and longitude for the activity.

Trombley teaches a method wherein the location parameter includes a latitude and longitude for the activity (col. 4 line 65 – col. 5 line 2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a latitude and longitude as disclosed by Trombley to identify the location for an activity as disclosed in the combination of Murphy and Bridal. On all the U.S. Government maps, points are marked that denote where the specific latitude-longitude numbers are to be positioned. These numbers are commonly referred to as GPS numbers. Fishermen using their GPS satellite navigation equipment and the GPS numbers can more accurately locate a desired fishing location and other

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points of interest (col. 3 lines 37-43). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

Claim 36 is rejected for the reasons set forth hereinabove for claim 35. However the combination of Murphy and Bridal does not explicitly disclose an expert system wherein the second interface comprises a plurality of lines that form a map.

Trombley teaches an expert system wherein the second interface comprises a plurality of lines that form a map (Abstract, "A process for producing a recreational map preferably using a computer operated program by first producing a bordered area; overlaying said bordered area with one or more template maps having nautical features thereon, a first scale and latitude and longitude lines at least every two minutes of angle; adjusting the size of said template map (s) to match the bordered area and incorporating said nautical features and said latitude and longitude lines into said bordered area to provide a master template map").

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide an interface of a map formed by lines as disclosed by Trombley in the expert weather system as disclosed in the combination of Murphy and Bridal because latitude-longitude lines denote angle measurements around the earth from 0 to 360 degrees. Fishermen using their GPS satellite navigation equipment and the GPS numbers can more accurately locate a desired fishing location and other points of interest (col. 3 lines 28-30, 40-43). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

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10. Claims 18, 27 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al., "Murphy" (U.S. Patent No. 6,298,307), further in view of "Bridal", ("One Less Bridal Woe", PR Newswire, p0714PHTU007), and further in view of Kelly et al., "Kelly" (U.S. Patent No. 6,498,987).

Claim 18 is rejected for the reasons set forth hereinabove for claim 17 and furthermore Murphy teaches a system wherein to prompt a user to provide a user profile (col. 8 lines 53-54; col. 7 lines 22-26). . However the combination of Murphy and Bridal does not explicitly disclose a system wherein said server causes to be displayed on a user device a computer generated screen listing a plurality of weather parameter selections.

Kelly teaches a system wherein said server causes to be displayed on a user device a computer generated screen listing a plurality of weather parameter selections (col. 8 lines 50-55).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a screen listing a plurality of weather parameter selections as disclosed by Kelly for the user to specify the desired weather condition in the user profile as disclosed in the combination of Murphy and Bridal, so the user may be provided with a predefined list of weather conditions from which to select (col. 8 lines 53-55). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

Claim 27 is rejected on grounds corresponding to the reasons given above for claim 18.

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Claim 31 is rejected on grounds corresponding to the reasons given above for claim 23.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GWEN LIANG whose telephone number is 703-305-3985. The examiner can normally be reached on 9:00 A.M. - 5:30 P.M. Monday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

G.L.

January 16, 2004


JEAN M. CORRIELLUS
PRIMARY EXAMINER